

Current regulations do not specifically address procedures for continuances of public hearings. This ordinance is intended to codify the policy of the Board for allowing continuances so that the public is not unduly inconvenienced and provided a clear opportunity to comment.

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LAKE COUNTY, FLORIDA; AMENDING SECTION 14.00.06, LAKE COUNTY CODE, APPENDIX E, LAND DEVELOPMENT REGULATIONS, ENTITLED PROCEDURES GOVERNING PUBLIC HEARINGS; CREATING A PROCEDURE FOR CONTINUANCES OF PUBLIC HEARINGS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Board desires to establish administrative procedures that are streamlined and appropriate for Lake County; and

WHEREAS, the Local Planning Agency, has reviewed this Ordinance in accordance with the requirements of Chapter 163, Florida Statutes; and

WHEREAS, the provisions of this Ordinance are consistent with the Comprehensive
Plan;

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of Lake County, Florida, as follows:

Section 1. Recitals. The foregoing recitals are true and correct and incorporated herein by reference.

Section 2. Amendment. Section 14.00.06, Lake County Code, Appendix E, Land Development Regulations, entitled Procedures Governing Public Hearings, is hereby amended to read as follows:

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2 * * *
3

4 **L. Postponement of Application.** An application scheduled for public hearing may
5 be postponed as follows:
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- 7
8 1. An Applicant may request one (1) continuance of the scheduled public
9 hearing provided such request is filed with the County Manager, or
10 designee, at least ten (10) days prior to the scheduled hearing. The
11 Applicant shall be required to pay all additional costs for republication and
12 mailing. All interested parties, including the applicant and noticed
13 property owners shall be given due notice of the delay and of the new
14 hearing date and time.
15 2. The Board may continue a public hearing when it is deemed necessary to
16 acquire additional information, public testimony, or time in order to render
17 a determination. It is the intent of the Board that continuances be limited
18 to no more than two (2) so as to not unduly inconvenience the public.
19 However, the Board may grant additional continuances for good cause.
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23 **Section 3. Inclusion in Code.** It is the intent of the Board of County
24 Commissioners that the provisions of this Ordinance shall become and be made a part of the
25 Lake County Code and that the sections of this Ordinance may be renumbered or relettered and
26 the word "ordinance" may be changed to "section", "article", or such other appropriate word or
27 phrase in order to accomplish such intentions.
28

29 **Section 4. Severability.** If any section, sentence, clause, or phrase of the Ordinance
30 is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding
31 shall in no way affect the validity of the remaining portion of this Ordinance.
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33 **Section 5. Effective Date.** This ordinance shall become effective as provided for by
34 law.
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36
37 Enacted this ____ day of _____, 2009.
38

39 Filed with the Secretary of State _____, 2009.
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41 Effective _____, 2009.
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43
44 BOARD OF COUNTY COMMISSIONERS
45 OF LAKE COUNTY, FLORIDA
46
47 _____

1 Welton G. Cadwell, Chairman
2

3 This _____ day of _____, 2009.
4

5 ATTEST:
6

7 _____
8 Neil Kelly, Clerk of the
9 Board of County Commissioners
10 of Lake County, Florida
11

12 Approved as to form and legality:
13

14 _____
15 Sanford A. Minkoff
16 County Attorney